

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

WENDY L. HIGGINS,

Plaintiff,

v.

THRIVE COMMUNITIES, INC., *et al.*,

Defendants.

Case No. C23-202-RSM

ORDER TO SHOW CAUSE

THIS MATTER comes before the Court *sua sponte*. Plaintiff, proceeding in forma pauperis, brings suit against Thrive Communities, Inc., Chelsea at Juanita Villa LP, Grosvenor Capco Limited, Grosvenor Residential GP Limited LLC, and Grosvenor USA Limited alleging, inter alia, that Defendants mismanaged the property where she resides resulting in purported violations of state and federal law.

Plaintiff's Complaint was posted on February 16, 2023. Dkt. #6. On March 22, 2023, summons were issued. Dkt. #11. On April 6, 2023, the Court denied Plaintiff's Motion to Appoint Counsel. Dkt. #12. Since then, there has been no activity in this case and Plaintiff has not filed any proof of service. Federal Rule of Civil Procedure 4(m) states in part:

If a defendant is not served within **90 days** after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice or order that

1 service be made within a specified time. But if the plaintiff shows  
2 good cause for the failure, the court must extend the time for service  
for an appropriate period.

3 Fed. R. Civ. P. 4(m). 153 days have passed since Plaintiff's Complaint was posted, as such the  
4 Rule 4(m) service deadline has passed. Failure to timely serve is a valid basis for dismissal of  
5 this case without prejudice.  
6

7 If Plaintiff wishes to continue pursuing this case, she must write a short statement in  
8 response to this Order telling the Court why good cause exists for an extension to serve  
9 Defendants. The Response may not exceed **six (6) pages**.

10 Accordingly, the Court hereby finds and ORDERS that Plaintiff shall file a Response to  
11 this Order to Show Cause containing the detail above no later than **fourteen (14) days** from the  
12 date of this Order. Plaintiff's failure to file a Response will result in dismissal of this case.  
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15 DATED this 19<sup>th</sup> day of July, 2023.  
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18 RICARDO S. MARTINEZ  
19 UNITED STATES DISTRICT JUDGE  
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